

PROCEEDINGS/MINUTES OF CITY COUNCIL

...January 22, 2015...

Council convened at 2:02 p.m., Vice Mayor David Mann Presiding. Present were Councilmembers Flynn, Murray, Seelbach, Simpson(@ 2:03 p.m.), Sittenfeld, Winburn(@ 2:05 p.m.) and Young.

Also in attendance were City Manager Harry Black, City Solicitor Paula Boggs Muething and Clerk of Council Melissa Autry.

Council observed a moment of silent prayer and recited the Pledge of Allegiance to the Flag.

There being no objection, Minutes of the previous session of Council were ordered Filed.

Items on the Council Calendar and items presented By-Leave were disposed of as follows:

Councilmember Smitherman was excused.

MAYOR CRANLEY

Item #: 201500051

APPOINTMENT, submitted by Mayor John Cranley, subject to the consent of Council, I hereby recommend the reappointment of Vice-Mayor David Mann to represent the City of Cincinnati on the OKI Board of Trustees.

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Status/Recommendations:

CONFIRM

\*\*\* CONFIRMED

MR. WINBURN	A
MR. YOUNG	Y
MR. FLYNN	Y
MR. MANN	Y
MS. MURRAY	Y
MR. SEELBACH	Y
MS. SIMPSON	Y
MR. SITTENFELD	Y
MR. SMITHERMAN	A

MR. MANN  
MR. SEELBACH  
MR. FLYNN  
MR. SITTENFELD  
MR. SMITHERMAN  
MR. YOUNG  
MS. SIMPSON  
MS. MURRAY

Item #: 201500090

MOTION, submitted by Vice Mayor David Mann, Councilmembers Seelbach, Flynn, Sittenfeld, Smitherman, Young, Simpson and Murray, We direct the administration to immediately initiate the implementation of the pre-payment of parking meters

and the extended evening hours features on city parking meters and implement the pay by phone feature as soon as possible.

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Status/Recommendations:

NEIGHBORHOODS COMMITTEE

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MR. SEELBACH

Item #: 201500102

ORDINANCE, submitted by Paula Boggs Muething, City Solicitor to Christopher Seelbach, on 1/22/2015, MODIFYING the provisions of Chapter 908, "Crimes Against the Person," of Title IX, "Misdemeanors," of the Cincinnati Municipal Code by amending Section 908-3, "Criminal Intimidation"; and further MODIFYING the provisions of Chapter 914, "Unlawful Discriminatory Practices," of Title IX, "Misdemeanors," of the Cincinnati Municipal Code by amending Sections 914-1-D1, "Discriminate," 914-1-R, "Restrictive Covenant," 914-1-S, "Sexual Orientation," 914-1-T, "Transgendered," 914-3, "Housing Discrimination Prohibited," and 914-5, "Employment Discrimination Prohibited."

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Status/Recommendations:

PASSED

\*\*\* PASSED 0016-2015

MR. WINBURN Y

MR. YOUNG Y

MR. FLYNN Y

MR. MANN Y

MS. MURRAY Y

MR. SEELBACH Y

MS. SIMPSON Y

MR. SITTENFELD Y

MR. SMITHERMAN A

MS. SIMPSON

MR. SEELBACH

MR. FLYNN

MR. SITTENFELD

MR. SMITHERMAN

MS. MURRAY

Item #: 201500091

MOTION, dated 1/14/2015 submitted by Councilmembers Simpson, Seelbach, Flynn, Sittenfeld, Smitherman and Murray, WE MOVE that the Administration prepare a report outlining the feasibility, process and cost associated with creating an escalation system for the City's Public Services Customer Service Request System. (STATEMENT ATTACHED)

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Status/Recommendations:

BUDGET AND FINANCE COMMITTEE

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MR. SMITHERMAN

Item #: 201500092

MOTION, dated 1/16/2015 submitted by Councilmember Smitherman, I MOVE that the administration do a report on pay raises non-represented employees have received over the last 5 years. I MOVE that the report include how many employees are classified as non-represented.

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Status/Recommendations:

RULES & AUDIT COMMITTEE

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CITY MANAGER

Item #: 201500047

ORDINANCE submitted by Harry Black, City Manager, on 1/22/2015, to dedicate, accept and confirm the dedication of certain City-owned real property to public use as right-of-way, consisting of 1.303 acres of land near the intersection of Seymour Avenue and Steger Drive, in accordance with the plat entitled "Dedication Plat-Links Drive."

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Status/Recommendations:

NEIGHBORHOODS COMMITTEE

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Item #: 201500053

ORDINANCE submitted by Harry Black, City Manager, on 1/22/2015, approving the application for the creation of a community entertainment district to be known as the "Downtown East Community Entertainment District" pursuant to Chapter 834 of the Cincinnati Municipal Code, "Entertainment Districts."

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Status/Recommendations:

NEIGHBORHOODS COMMITTEE

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Item #: 201500054

ORDINANCE submitted by Harry Black, City Manager, on 1/22/2015, approving the application for the creation of a community entertainment district to be known as the "Downtown West Community Entertainment District" pursuant to Chapter 834 of the Cincinnati Municipal Code, "Entertainment Districts."

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Status/Recommendations:

NEIGHBORHOODS COMMITTEE

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Item #: 201500079

ORDINANCE, (EMERGENCY) submitted by Harry Black, City Manager, on 1/22/2015, AMENDING the official zoning map of the City of Cincinnati to rezone the properties located at 3527-3573 Reading Road in the Avondale neighborhood from the RMX, "Residential Mixed," zoning district and the RM-1.2, "Residential Multi-family" zoning district, to the CC-P, "Commercial Community Pedestrian," zoning district.

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Status/Recommendations:

NEIGHBORHOODS COMMITTEE

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Item #: 201500081

ORDINANCE submitted by Harry Black, City Manager, on 1/20/2015, DESIGNATING the Baldwin Piano Building located at 655 Eden Park Drive in the Walnut Hills neighborhood as a historic landmark.

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Status/Recommendations:

NEIGHBORHOODS COMMITTEE

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Item #: 201500082

ORDINANCE submitted by Harry Black, City Manager, on 1/22/2015, DESIGNATING the Union Central Life Annex Building at 309 Vine Street in the CBD, as a historic landmark.

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Status/Recommendations:

NEIGHBORHOODS COMMITTEE

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Item #: 201500085

ORDINANCE submitted by Harry Black, City Manager, on 1/22/2015, amending the official zoning map of the City of Cincinnati to rezone the properties located at 908-942 Grand Avenue, 954 Grand Avenue, and 911 Chateau Avenue in the East Price Hill neighborhood from the RMX, "Residential Mixed," zoning district and the4 RM-1.2, "Residential Multi-family" zoning district to the CN-P, "Commercial Neighborhood - Pedestrian," zoning district.

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Status/Recommendations:

NEIGHBORHOODS COMMITTEE

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Item #: 201500101

ORDINANCE, (EMERGENCY) submitted by Harry Black, City Manager, AUTHORIZING the transfer of and return to source Urban Renewal - Tax Increment Fund 852 the sum of \$12,000,000 from capital improvement project account no. 980x105x131022 "Fourth and Race Redevelopment"; and further ESTABLISHING a new capital improvement program project account no. 980x164x151647 "Fourth and Race Redevelopment Grant"; and further AUTHORIZING the City Manager to transfer and appropriate the sum of \$5,500,000 from the unappropriated surplus of Urban Renewal - Tax Increment Fund 852 to the newly established capital improvement program project account no.980x164x151647, "Fourth and Race Redevelopment Grant," all for the purpose of supporting a development grant related to the redevelopment of the City-owned property located at the northwest corner of Fourth Street and Race Street in downtown Cincinnati.

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Status/Recommendations:

PASSED EMERGENCY

\*\*\* PASSED EMERGENCY 0011-2015

MR. WINBURN Y

MR. YOUNG Y

MR. FLYNN Y

MR. MANN	Y
MS. MURRAY	Y
MR. SEELBACH	Y
MS. SIMPSON	N
MR. SITTENFELD	Y
MR. SMITHERMAN	A

Item #: 201500048

REPORT, dated 1/22/2015, submitted by Harry Black, City Manager, regarding Special Event Permit Application for Heart Mini Marathon.

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Status/Recommendations:

FILE

\*\*\* FILED

Item #: 201500052

REPORT, dated 1/22/2015, submitted by Harry Black, City Manager, regarding Special Event Permit Application for St. Patrick's Day Parade.

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Status/Recommendations:

FILE

\*\*\* FILED

Item #: 201500071

REPORT, dated 1/22/2015, submitted by Harry Black, City Manager, on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for Cleveland Martin DBA Martin Paradise Lounge, 3642 West Eighth Street. (#55785460100, Transfer of Ownership, D5, D6) [Objections: Cincinnati Police Department, East Price Hill Improvement Association]

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Status/Recommendations:

FILE

\*\*\* FILED

Item #: 201500072

REPORT, dated 1/22/2015, submitted by Harry Black, City Manager, on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for Circle Hospitality Group LLC DBA Remus Pharmacy, 18 West Thirteenth Street. (#1514088, Transfer of Exempt, D5) [Objections: None]

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Status/Recommendations:

FILE

\*\*\* FILED

Item #: 201500073

REPORT, dated 1/22/2015, submitted by Harry Black, City Manager, on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for Holtd Investments LLC DBA (Not Listed), 214 East Ninth Street. (#3940484, Transfer of Ownership & Location, D1, D2, D3, D3A)

[Objections: None]

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Status/Recommendations:

FILE

\*\*\* FILED

Item #: 201500083

REPORT, dated 1/22/2015, submitted by Harry Black, City Manager, regarding Cincinnati Streetcar - November 2014.

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Status/Recommendations:

TRANSPORTATION & REGIONAL COOPERATION COMMITTEE

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Item #: 201500084

RESOLUTION submitted by Harry Black, City Manager, on 1/22/2015, supporting Neyer Properties in its efforts to receive Ohio State Historic Preservation Tax Credits for the redevelopment of the Baldwin Piano Building located at 655 Eden Park Drive in the Walnut Hills neighborhood, which project is consistent with Plan Cincinnati and is consistent with the City of Cincinnati's commitment to revitalize the Walnut Hills neighborhood.

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Status/Recommendations:

NEIGHBORHOODS COMMITTEE

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#### CLERK OF COUNCIL

Item #: 201500093

REGISTRATION, submitted by the Clerk of Council from Legislative Agent Christopher S. Colwell, Consultant, 578 Belle Meade Farm Drive, Loveland, Ohio 45140.

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Status/Recommendations:

FILE

\*\*\* FILED

Item #: 201500094

REGISTRATION, submitted by the Clerk of Council from Legislative Agent W. Kelly Johnson, Lawyer, 250 E. Fifth Street, Suite 2200, Cincinnati, Ohio 45202.

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Status/Recommendations:

FILE

\*\*\* FILED

Item #: 201500095

REGISTRATION, submitted by the Clerk of Council from Legislative Agent Ted Heckmann, Managing Director-Regulatory & Government Affairs, 221 East Fourth Street, Suite 103-1000, Cincinnati, Ohio 45201-2301.

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Status/Recommendations:

FILE  
\*\*\* FILED

Item #: 201500096  
REGISTRATION, submitted by the Clerk of Council from Legislative Agent W. Kelly Johnson, Lawyer, 250 E. Fifth Street, Suite 2200, Cincinnati, Ohio 45202.  
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Status/Recommendations:  
FILE  
\*\*\* FILED

Item #: 201500097  
REGISTRATION, submitted by the Clerk of Council from Legislative Agent Katherine Ott Zehnder, Civil Engineer % 2350 Kerner Blvd., Suite 250, San Rafael, California 94901-5596. (HNTB CORPORATION)  
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Status/Recommendations:  
FILE  
\*\*\* FILED

Item #: 201500098  
REGISTRATION, submitted by the Clerk of Council from Legislative Agent W. Kelly Johnson, Lawyer, 250 E. Fifth Street, Suite 2200, Cincinnati, Ohio 45202.  
\*\*\*  
Status/Recommendations:  
FILE  
\*\*\* FILED

#### BUDGET AND FINANCE COMMITTEE

Item #: 201401542  
ORDINANCE, (EMERGENCY) submitted by Harry Black, City Manager, on 12/17/2014, AUTHORIZING the transfer of and return to source Urban Renewal - Tax Increment Fund 852 the sum of \$12,000,000 from capital improvement project account no. 980x105x131022 "Fourth and Race Redevelopment"; and further ESTABLISHING a new capital improvement program project account no. 980x164x151647 "Fourth and Race Redevelopment Grant"; and further AUTHORIZING the City Manager to transfer and appropriate the sum of \$5,500,000 from the unappropriated surplus of Urban Renewal-Tax Increment Fund 852 to the newly established capital improvement program project account no. 980x164x151647, "Fourth and Race Redevelopment Grant," all for the purpose of supporting a development grant related to the redevelopment of the City-owned property located at the northwest corner of Fourth Street and Race Street in downtown Cincinnati.  
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Status/Recommendations:  
PASS EMERGENCY  
\*\*\* INDEFINITELY POSTPONED  
MR. WINBURN Y  
MR. YOUNG Y  
MR. FLYNN Y

MR. MANN	Y
MS. MURRAY	Y
MR. SEELBACH	Y
MS. SIMPSON	Y
MR. SITTENFELD	Y
MR. SMITHERMAN	A

Item #: 201401544

ORDINANCE, (EMERGENCY) submitted by Harry Black, City Manager, on 12/17/2014, PROVIDING for the issuance, sale and delivery of not to exceed \$5,500,000 of Economic Development Revenue Bonds (The 4th & Race Street Development Project), or notes in anticipation thereof, of The City of Cincinnati, County of Hamilton, State of Ohio, for the purpose of financing certain improvements; authorizing a pledge of the City's faith and credit or a pledge of and lien on certain revenues and other City resources, as appropriate, to secure such bonds or notes; and authorizing necessary documents to secure such bonds or notes.

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Status/Recommendations:

PASS EMERGENCY

\*\*\* PASSED EMERGENCY 0012-2015

MR. WINBURN	Y
MR. YOUNG	Y
MR. FLYNN	Y
MR. MANN	Y
MS. MURRAY	Y
MR. SEELBACH	Y
MS. SIMPSON	Y
MR. SITTENFELD	Y
MR. SMITHERMAN	A

Item #: 201500001

ORDINANCE (EMERGENCY) submitted by Harry Black, City Manager, on 1/14/2015, authorizing the payment of \$25,833.35 as a moral obligation to Healthcare Access Now for services rendered to the City of Cincinnati related to the Reproductive Health and Wellness Program of the Cincinnati Health Department.

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Status/Recommendations:

PASS EMERGENCY

\*\*\* PASSED EMERGENCY 0013-2015

MR. WINBURN	Y
MR. YOUNG	Y
MR. FLYNN	Y
MR. MANN	Y
MS. MURRAY	Y
MR. SEELBACH	Y
MS. SIMPSON	Y
MR. SITTENFELD	Y
MR. SMITHERMAN	A

Item #: 201500003

ORDINANCE submitted by Harry Black, City Manager, on 1/7/2015, authorizing the City Manager to apply for, accept, and appropriate a grant in an amount of up to \$902,000.00 from the U.S. Department of Homeland Security Federal Emergency Management Agency's FY 2014 Assistance to Firefighters Grant program for the purpose of obtaining firefighting equipment and replacing an existing Heavy Rescue Unit.



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Status/Recommendations:

PASS

\*\*\* PASSED 0007-2015

MR. WINBURN	A
MR. YOUNG	Y
MR. FLYNN	Y
MR. MANN	Y
MS. MURRAY	Y
MR. SEELBACH	Y
MS. SIMPSON	Y
MR. SITTENFELD	Y
MR. SMITHERMAN	A

Item #: 201500035

ORDINANCE submitted by Harry Black, City Manager, on 1/14/2015, authorizing the City Manager to apply for a Clean Ohio Trails Fund grant to be awarded by the Ohio Department of Natural Resources in an amount of up to \$500,000.00 for the purpose of constructing a portion of the Wasson Way Trail project.

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Status/Recommendations:

PASS

\*\*\* PASSED 0008-2015

MR. WINBURN	Y
MR. YOUNG	Y
MR. FLYNN	Y
MR. MANN	Y
MS. MURRAY	Y
MR. SEELBACH	Y
MS. SIMPSON	Y
MR. SITTENFELD	Y
MR. SMITHERMAN	A

Item #: 201500036

ORDINANCE (EMERGENCY) submitted by Harry Black, City Manager, on 1/14/2015, amending Ordinance No. 0329-2014, which authorized the City Manager to enter into a contract with the Ohio Department of Transportation regarding an Urban Paving Project on Reading Road and Linwood Avenue, in order to provide necessary additional funds as the City's required local match following an increased total estimated project cost.

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Status/Recommendations:

PASS EMERGENCY

\*\*\* PASSED EMERGENCY 0014-2015

MR. WINBURN	Y
MR. YOUNG	Y
MR. FLYNN	Y
MR. MANN	Y
MS. MURRAY	Y
MR. SEELBACH	Y
MS. SIMPSON	Y
MR. SITTENFELD	Y
MR. SMITHERMAN	A

Item #: 201500077

ORDINANCE (EMERGENCY) submitted by Harry Black, City Manager, on 1/20/2015 PROVIDING FOR THE ISSUANCE, SALE AND DELIVERY OF NOT TO EXCEED \$8,000,000 OF PUBLIC BUILDING IMPROVEMENT BONDS (LINN STREET FACILITY), OR NOTES IN ANTICIPATION THEREOF, OF THE CITY OF CINCINNATI, COUNTY OF HAMILTON, STATE OF OHIO, FOR THE PURPOSE OF FINANCING CERTAIN PUBLIC BUILDING IMPROVEMENTS; AUTHORIZING A PLEDGE OF THE CITY'S FAITH AND CREDIT OR A PLEDGE OF AND LIEN ON CERTAIN REVENUES INCLUDING MUNICIPAL INCOME TAXES AND OTHER CITY RESOURCES, AS APPROPRIATE, TO SECURE SUCH BONDS OR NOTES; AND AUTHORIZING NECESSARY DOCUMENTS TO SECURE SUCH BONDS OR NOTES.

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Status/Recommendations:

PASS EMERGENCY

\*\*\* PASSED EMERGENCY 0015-2015

MR. WINBURN	Y
MR. YOUNG	Y
MR. FLYNN	Y
MR. MANN	Y
MS. MURRAY	Y
MR. SEELBACH	Y
MS. SIMPSON	Y
MR. SITTENFELD	Y
MR. SMITHERMAN	A

Item #: 201500078

ORDINANCE submitted by Harry Black, City Manager, on 1/20/2015 AUTHORIZING the establishment of new capital improvement program project account no. 980x255x152518, "Linn Street Facility"; and further AUTHORIZING the transfer and appropriation of the sum of \$7,270,000 from the unappropriated surplus of the Public Buildings Improvements Fund 821 to a newly created capital improvement program project account 980x255x152518, "Linn Street Facility" for the purpose of allowing the Cincinnati Police Department to purchase the property located at 801 Linn Street to consolidate the offices of three police units and to cover the costs of build-outs, furniture, fixtures and equipment.

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Status/Recommendations:

PASS

\*\*\* PASSED 0009-2015

MR. WINBURN	Y
MR. YOUNG	Y
MR. FLYNN	Y
MR. MANN	Y
MS. MURRAY	Y
MR. SEELBACH	Y
MS. SIMPSON	Y
MR. SITTENFELD	Y
MR. SMITHERMAN	A

Item #: 201500080

ORDINANCE submitted by Harry Black, City Manager, on 1/20/2015, APPROVING AND AUTHORIZING the City Manager to execute a Community Reinvestment Area Tax Exemption Agreement with SoLi Interests, LLC, thereby authorizing a 12-year tax exemption for 100% of the value of the improvements made to real property located at 1405 Clay Street in Cincinnati in connection with the remodeling of an existing building into four residential units and one commercial space located on such real property, which remodeling shall be completed at a total construction cost of approximately \$440,000.

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Status/Recommendations:

PASS

\*\*\* PASSED 0010-2015

MR. WINBURN	N
MR. YOUNG	Y
MR. FLYNN	Y
MR. MANN	Y
MS. MURRAY	Y
MR. SEELBACH	Y
MS. SIMPSON	Y
MR. SITTENFELD	Y
MR. SMITHERMAN	A

Item #: 201500034

REPORT, dated 1/14/2015, submitted by Harry Black, City Manager, regarding renewal of street lighting assessments for - Group 1 Residential Street Lighting (2014-2017)

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Status/Recommendations:

APPROVE & FILE

\*\*\* APPROVED AND FILED

HUMAN SERVICES, YOUTH & ARTS COMMITTEE

Item #: 201401487

MOTION, submitted by Vice Mayor Mann, Councilmembers Flynn, Murray, Seelbach and Sittenfeld that the City of Cincinnati establish at no cost to taxpayers a Poet Laureate of the City of Cincinnati. The position of Poet Laureate would be selected by the Mayor for a one year term which could be renewed at the discretion of the Mayor with the input of Council. We Move that the Mayor and Council appoint a six-person advisory group to select and get applicants for this position. WE MOVE that the Poet Laureate be selected by this group among nominees put forward by the Mayor, the Council and members of the community, including the English Departments at University of Cincinnati, Cincinnati State and Xavier University and at least one representative selected by Arts Wave. We move that the Poet Laureate position be selected each year, reporting to the "Commissioner of Fun". Both new applicants and any member of the Cincinnati community can apply as well as the current applicant shall be considered for the position.

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Status/Recommendations:

ADOPT

\*\*\* ADOPTED

MR. WINBURN	Y
MR. YOUNG	Y
MR. FLYNN	Y
MR. MANN	Y
MS. MURRAY	Y
MR. SEELBACH	Y
MS. SIMPSON	Y
MR. SITTENFELD	Y
MR. SMITHERMAN	A

LAW & PUBLIC SAFETY COMMITTEE

Item #: 201500061

MOTION, dated 1/14/2014 submitted by Councilmember Christopher Smitherman, I MOVE that the administration do a report on the bicycle lane on Central Parkway. The report should include how the bike lane has affected traffic peak hour parking and traffic congestion. I MOVE that the report include any impact the bike lane has on snow removal.

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Status/Recommendations:

ADOPT

\*\*\* ADOPTED

MR. WINBURN	Y
MR. YOUNG	Y
MR. FLYNN	Y
MR. MANN	Y
MS. MURRAY	Y
MR. SEELBACH	Y
MS. SIMPSON	Y
MR. SITTENFELD	Y
MR. SMITHERMAN	A

Item #: 201500062

MOTION, dated 1/14/2015 submitted by Councilmember Christopher Smitherman, I MOVE that the administration do a report on how the City of Cincinnati is managing the dramatic drop in oil prices as it relates to fuel used for the City of Cincinnati fleet. The report should address how fuel cost can be hedged across multiple years which might include a partnership with other municipalities. I MOVE that the administration include in the report any projected savings from lower fuel prices in the current 2014/2015 budget.

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Status/Recommendations:

ADOPT

\*\*\* ADOPTED

MR. WINBURN	Y
MR. YOUNG	Y
MR. FLYNN	Y
MR. MANN	Y
MS. MURRAY	Y
MR. SEELBACH	Y
MS. SIMPSON	Y
MR. SITTENFELD	Y
MR. SMITHERMAN	A

Item #: 201500019

ORDINANCE, submitted by Councilmember Seelbach from Terry Nestor, Interim City Solicitor on 11/12/2014, MODIFYING the provisions of Chapter 908, "Crimes Against the Person," of Title IX, "Misdemeanors," of the Cincinnati Municipal Code by amending Section 908-3, "Criminal Intimidation"; and further MODIFYING the provisions of Chapter 914, "Unlawful Discriminatory Practices," of Title IX, "Misdemeanors," of the Cincinnati Municipal Code by amending Sections 914-1-D1, "Discriminate," 914-1-R, "Restrictive Covenant," 914-1-S, "Sexual Orientation," 914-1-T, "Transgendered," 914-3, "Housing Discrimination Prohibited," and 914-5, "Employment Discrimination Prohibited."

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Status/Recommendations:

PASS

\*\*\* INDEFINITELY POSTPONED

MR. WINBURN	Y
MR. YOUNG	Y
MR. FLYNN	Y
MR. MANN	Y
MS. MURRAY	Y
MR. SEELBACH	Y
MS. SIMPSON	Y
MR. SITTENFELD	Y
MR. SMITHERMAN	A